

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REQUEST AVAILABLE COPY

Applicant's or agent's file reference HM 0028 PCT/KrH	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416																
International application No. PCT/EP2004/007700	International filing date (day/month/year) 09.07.2004	Priority date (day/month/year) 13.08.2003																	
International Patent Classification (IPC) or national classification and IPC H01M2/02																			
Applicant HILLE & MULLER GMBH																			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</li> <li><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</li> </ul> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																			
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>				<input checked="" type="checkbox"/> Box No. I	Basis of the opinion	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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Date of submission of the demand 11.08.2005	Date of completion of this report 16.11.2005																		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer  Métails, S  Telephone No. +31 70 340-  																	

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INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY

IAP20 Rec'd UPOV 10 FEB 2006  
International application No.  
PCT/EP2004/007700

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	2 3 6 11-16
	No: Claims	1 4 5 7-10
Inventive step (IS)	Yes: Claims	3 6 11-16
	No: Claims	1 2 4 5 7-10
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(SEPARATE SHEET)

IAP20 Rec'd PCT/PTO 10 FEB 2006

International application No.

PCT/EP2004/007700

1. Reference is made to the following document:

D1 : EP 0 991 133 A (RAY O VAC CORP) 5 April 2000 (2000-04-05)

**2 INDEPENDENT CLAIM 1**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (paragraphs 31, 33, 61, 68, 71, 72, 75 to 77 and 84, and claims 1 and 4): a plate suitable for producing housings or lids for button cell batteries, comprising a core layer of steel, a copper or nickel clad top layer at one side of the core layer and a nickel top layer at the other side of the core layer, characterized in that the nickel top layer has been applied by cladding or plating the nickel and in that the core layer of steel has a thickness of up to 0.11mm.

**3 DEPENDENT CLAIMS 2, 4, 5, 7-10**

Dependent claims 2, 4, 5, 7-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

**4 DEPENDENT CLAIMS 3, 6, 11-16**

The combination of the features of dependent claims 3, 6, 11-16 are neither known from, nor rendered obvious by, the available prior art. The reasons are as follows: there is no indication in the prior art that the nickel layer is applied on the core layer of steel of claim 1 by physical or chemical vapour deposition. Moreover, it is not described in the prior art that the deposited nickel layer between the core layer of steel and the copper or nickel clad layer is thinner than the deposited nickel top layer and no process of manufacture as described in claims 11 to 16 is disclosed in the prior art.